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13 SOUNDEXCHANGE, INC.

14 **UNITED STATES DISTRICT COURT**
15 **CENTRAL DISTRICT OF CALIFORNIA**
16 **WESTERN DIVISION**

17 SOUNDEXCHANGE, INC., a
18 Delaware corporation.

19 Plaintiff,

20 v.

21 SONOS, INC., a Delaware corporation;
22 and RHAPSODY INTERNATIONAL
23 INC. dba NAPSTER, a Delaware
24 corporation.

25 Defendants.

Case No. 2:25-cv-05454-HDV-BFM

**PLAINTIFF'S REQUEST FOR
CLERK'S ENTRY OF DEFAULT
PURSUANT TO
FED. R. CIV. P. 55(A)**

Judge: Hon. Judge Hernan D. Vera
Action Filed: June 16, 2025

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TO THE CLERK OF THE ABOVE-ENTITLED COURT:

Plaintiff SoundExchange, Inc. (“Plaintiff”) respectfully requests that the Clerk enter default against Defendant Rhapsody International Inc. dba Napster (“Rhapsody”) pursuant to Rule 55(a) of the Federal Rules of Civil Procedure, on the ground that Rhapsody has failed to file an answer or otherwise respond to the Complaint within the time prescribed by Rule 12(a)(1).

On June 16, 2025, Plaintiff filed its Complaint against Defendants Sonos, Inc. and Rhapsody. (ECF No. 1.) On June 17, 2025, the Court issued a 21-day summons as to Rhapsody. (ECF No. 9-1.) On June 20, 2025, Rhapsody executed and filed a Waiver of Service of Summons. (ECF No. 12.) Pursuant to Federal Rule of Civil Procedure 12(a)(1)(A)(ii), Rhapsody was required to file an answer or otherwise respond to the Complaint by no later than August 18, 2025 (stating that defendant must respond to the complaint within 60 days after the request for waiver was sent if it has timely waived service under Fed. R. Civ. P. 4(d)).

Rhapsody has failed to do so, and the time to respond has expired. The above-stated facts are set forth in the accompanying Declaration of Christopher J. Wiener, filed concurrently herewith.

DATED: August 20, 2025

COBLENTZ PATCH DUFFY & BASS LLP

By: /s/ Christopher J. Wiener

CHRISTOPHER J. WIENER

Attorneys for Plaintiff
SOUNDEXCHANGE, INC.